

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 3, 9, 14 and 17 are currently being canceled.

Claims 1, 4, 7, 10, 13, 15, 16 and 18 are currently being amended.

No claims are currently being added.

This amendment amends and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 2, 4-8, 10-13, 15, 16 and 18 are now pending in this application.

Indication of Allowable Subject Matter:

Applicants appreciate the indication of allowable subject matter made in the Office Action with respect to claims 5, 6, 11 and 12.

Claim Rejections – Prior Art:

In the Office Action, claims 1-4, 7-10 and 13-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,823,084 to Myers et al.; claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Myers et al. in view of U.S. Patent No. 6,687,420 to Matsuda et al.; claims 7, 9-10 and 16-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Myers et al. in view of JP 2001-325401A to Sugawara; and claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Myers et al. in view of Sugawara and further in view of Matsuda et al. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Presently pending independent claims 1, 7, 13 and 16 have been amended to include the features recited in now-canceled claims 3, 9, 14 and 17, respectively, whereby a still image is extracted having a moving rate not more than a predetermined value of an image contained in the moving image information, and whereby the extracted still image is stored in a memory.

In its rejection of claim 3, the Office Action asserts that column 4, lines 39-49 of Myers discloses in a step of extracting a still image having a moving rate not more than a predetermined value of an image contained in the moving image information. Applicants disagree with this assertion made in the Office Action.

In column 4, lines 39-49, Myers merely explains that the system 100 shown in Figure 1 of that reference accepts a video or still image signal (referred to as “captured imagery”) and recognizes text in real time using conventional equipment, e.g., an image capturing sensor.

Thus, column 4, lines 39-49 of Myers does not disclose or suggest features in which a still image is extracted having a moving rate not more than a predetermined value of an image contained in moving image information.

The Office Action also asserts that it is inherent for a video frame sequence having a predetermined moving rate and extracting a still frame from the sequence. Applicants respectfully disagree with this assertion concerning inherency. In fact, none of the cited references Myers, Matsuda or Sugawara discloses these features set forth in each of the presently pending independent claims. The Examiner is requested to provide a reference to support this ‘inherency’ argument, or otherwise withdraw the rejection on this basis.

Matsuda shows the image reading apparatus having a document table 1, an image pickup camera unit 2, an illuminating unit 3, an operating unit 4 and a distance measuring mirror 5, and is cited to reject claim 2 on file.

Matsuda’s system checks if the document is correctly placed on the document table 1, and generates an alarm if a degree of an image distortion is not within a correctable range. See Abstract of Matsuda.

Sugawara relates to a system for a book service using the internet, and is cited to reject claim 7. Sugawara’s system transmits image data of a book requested by a user through the internet to the user’s terminal equipment, in order that a user can read the book at home.

It is readily apparent that neither Matsuda nor Sugawara rectifies the above-mentioned shortcomings of Myers, as explained above.

Consequently, since presently pending independent claims 7, 13 and 16 recite similar features to those discussed above with respect to presently pending independent claim 1,

presently pending independent claims 1, 7, 13 and 16 patentably distinguish over the cited art of record.

The presently pending dependent claims under rejection are patentable due to their respective dependencies on one of the presently pending independent claims 1, 7, 13 and 16, as well as for the specific features recited in those dependent claims.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By Phillip J. Articola

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6162
Facsimile: (202) 672-5399

Pavan K. Agarwal
Registration No. 40,888

Phillip J. Articola
Registration No. 38,819